

UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH  
FILED IN UNITED STATES DISTRICT  
COURT, DISTRICT OF UTAH

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FEB 27 2012

U.S. DISTRICT COURT

MAR 02 2012

CHIBUEZE C. ANAEME, BY D. MARK JONES, CLERK Case No.:  
DEPUTY CLERK

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

FRANKLIN CAPITAL CPORPORATION

FRANKLIN RESOURCES, INC.

FRANKLIN ADVISORS, INC

FRANKLIN AGENCY, INC.

FRANKLIN TEMPLETON DISTRIBUTORS,

INC.

FRANKLIN CAPITAL GROWTH FUND

TEMPLETON INVESTMENT COUNSEL,

INC.

TEMPLETON WORLDWIDE, INC.

FUDICIARY TRUST COMPANY

INTERNATIONAL.

STATE OF NEW MEXICO.

BERNALILLO COUNTY NEW MEXICO.

BERNALILLO COUNTY SHERIFFS'

OFFICE.

AMERICAN RECOVERY, INC.

MADRID TOWING.

PLAINTIFFS' COMPLAINT  
FOR DAMAGES.

Case: 2:12cv00221  
Assigned To : Stewart, Ted  
Assign. Date : 2/27/2012  
Description: Anaeme v. USA et al

STATE OF CALIFORNIA.

SAN DIEGO COUNTY, CALIFORNIA.

OFFICE OF ASSIGNED COUNSEL SAN

DIEGO COUNTY, CALIFORNIA.

OFFICE OF THE PUBLIC DEFENDER SAN

DIEGO COUNTY, CALIFORNIA.

SAN DIEGO COUNTY SHERIFFS'

DEPARTMENT.

SAN DIEGO UNIFIED PORT DISTRICT.

SAN DIEGO HARBOR POLICE.

CALIFORNIA STATE POLICE

(CALIFORNIA HIGHWAY PATROL).

SAN DIEGO COUNTY HEALTH AND HUMAN

SERVICES AGENCY (HHSA) FORENSIC

SERVICES UNIT, SAN DIEGO,

CALIFORNIA.

HERITAGE SECURITY SERVICES, SAN

DIEGO, CALIFORNIA.

TRANSIT SYSTEM SECURITY.

FORT HERITAGE COURIER SERVICE.

VEOLIA ENVIRONNEMENT.

VEOLIA TRANSPORTATION SERVICES,

INC.

VEOLIA ENVIRONMENTAL SERVICES.

VEOLIA TRANSPORT.

VEOLIA WATER NORTH AMERICA

VEOLIA VERKEHR.

CONNEX.

SAN DIEGO METROPOLITAN TRANSIT  
SYSTEM (SDMTS).

SAN DIEGO TROLLEY, INC. (SDTI).

SAN DIEGO TRANSIT CORPORATION  
(SDTC).

SAN DIEGO AND ARIZONA EASTERN (SD  
AND AE) RAILWAY COMPANY.

SAN DIEGO VINTAGE TROLLEY, INC.

SANDAG.

NORTH COUNTY TRANSIT DISTRICT  
(NCTD).

)

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JOHN DOE WHITE MALE DRIVER SDMTS 44 BUS ROUTE 325 ABOUT 9:06PM  
PST ON DECEMBER 14, 2009 FROM LINDA VISTA ROAD TO OLD TOWN  
TRANSIT STATION SAN DIEGO CALIFORNIA

Individually and in his capacity as bus driver, San Diego  
Metropolitan Transit System (SDMTS), 3650 Main St, Chula Vista,  
California and 1213 N. Johnson Ave, El Cajon, California.

JOHN DOE HISPANIC MALE DRIVER SDMTS 992 BUS ROUTE 2775 ABOUT  
8:55AM PST ON MARCH 17, 2011 INCIDENT ON BROADWAY AND SETTLER  
ACROSS FROM AMERICA PLAZA DOWNTON SAN DIEGO CALIFORNIA

Individually and in his capacity as bus driver, San Diego  
Metropolitan Transit System (SDMTS), 3650 Main St, Chula Vista,  
California and 1213 N. Johnson Ave, El Cajon, California.

JOHN DOE WHITE MALE DRIVER SDMTS 120 BUS ROUTE 343 ABOUT 4:42PM  
PST ON MARCH 15, 2011 INCIDENT ON GENESEE AVE AND HEALTHCARE  
DRIVE SAN DIEGO CALIFORNIA

Individually and in his capacity as bus driver, San Diego  
Metropolitan Transit System (SDMTS), 3650 Main St, Chula Vista,  
California and 1213 N. Johnson Ave, El Cajon, California.

JANE DOE BLACK FEMALE DRIVER SDMTS 105 BUS ROUTE 302 ABOUT  
10:08AM PST ON JULY 26, 2009 INCIDENT ON MILTON ST AND MORENA  
BLVD SAN DIEGO CALIFORNIA

Individually and in her capacity as bus driver, San Diego  
Metropolitan Transit System (SDMTS), 3650 Main St, Chula Vista,  
California and 1213 N. Johnson Ave, El Cajon, California.



JANE DOE WHITE FEMALE DRIVER SDMTS 120 BUS ROUTE 1604 ABOUT  
10:50AM PST ON AUGUST 21, 2011 INCIDENT AT FASHION VALLEY TRANSIT  
STATION, SAN DIEGO CALIFORNIA

Individually and in her capacity as bus driver, San Diego  
Metropolitan Transit System (SDMTS), 3650 Main St, Chula Vista,  
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Co-defendants.

COMPLAINT FOR DAMAGES

Chibueze C. Anaeme, plaintiff pro se, respectfully files this complaint for damages within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

JURISDICTION AND VENUE

1. Jurisdiction of the court is invoked pursuant to 28 U.S.C. Sections 1331, 1337 and 1367. The actions, omissions and transactions alleged to be unlawful were done within the jurisdiction of the United States District Court for the District of Utah and United States District Court for the Southern District of California.

2. Plaintiff further invokes pendent jurisdiction of this court to hear and decide claims arising from statutory and constitutional amendments as is/are applicable.

#### PARTIES

3. Plaintiff, Chibueze C. Anaeme is a black male of African origin and a resident of Albuquerque, New Mexico.

4. Defendant, United States of America as is liable for its acts and the acts of its individual agents and/or co-defendants in aforerecited cause.

5. Individual co-defendants and/or defendants' agents Franklin Resources, Inc., Franklin Advisors, Inc., Franklin Agency, Inc., Franklin Templeton Distributors, Inc., 1 Franklin Parkway, Building 970, 1<sup>st</sup> Floor, San Mateo, California 94403, U.S.A, Franklin Capital Corporation, 47 West 200 South Ave, Suite 500, Salt Lake City, Utah 84101, U.S.A, Templeton Investment Counsel, Inc., Templeton Worldwide, Inc., 500 E. Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33394-3007, U.S.A, Franklin Trust Company International, 600 Fifth Ave, New York, New York 10020-2302, U.S.A and Franklin Capital Growth Fund, 3344 Quality Drive, Rancho Cordova, California 95670-7313, U.S.A collectively named "Franklin Templeton cluster" are a conglomerate of companies engaged in management of assets for institutional and individual investors, securities dealership and

brokerage, investment advisors, holding companies and portfolio managers generally confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

6. Individual co-defendant and/or defendants' agent State of New Mexico, U.S.A. collectively named "State of New Mexico cluster" is a government entity following FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

7. Individual co-defendant and/or defendants' agent Bernalillo County New Mexico, U.S.A. collectively named "Bernalillo County cluster" is a government entity within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

8. Individual co-defendant and/or defendants' agent Bernalillo County Sheriffs' Office, 400 Roma N.W., Albuquerque, New Mexico 87102, U.S.A collectively named "Bernalillo Sheriff cluster" is a government entity within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

9. Individual co-defendant and/or defendants' agent American Recovery, Inc., 7717 Broadway Boulevard, S.E, Albuquerque, New Mexico 87105-7455, U.S.A collectively named "American Recovery cluster" is a company engaged in repossession of automobiles within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

10. Individual co-defendant and/or defendants' agent Madrid Towing, 3310 San Ygnacio Road, S.W., Albuquerque, New Mexico 87121, U.S.A collectively named "Madrid Towing cluster" is an automobile towing company within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

11. Individual co-defendant and/or defendants' agent State of California collectively named "State of California cluster" is a government entity within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

12. Individual co-defendant and/or defendants' agent San Diego County, California collectively named "San Diego County cluster" is a government entity within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

13. Individual co-defendant and/or defendants' agent Office of Assigned Counsel San Diego County, 450 B St, Suite 840, San Diego, California 92101 collectively named "Assigned Counsel cluster" is a government entity engaged in the practice of law confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

14. Individual co-defendant and/or defendants' agent Office of Public Defender San Diego County, 450 B St, Suite 900, San Diego, California 92101 collectively named "Public Defender



cluster" is a government entity engaged in the practice of law confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

15. Individual co-defendant and/or defendants' agent Office of City Attorney, City of San Diego, 1200 Third Ave, Suite 1300, San Diego, California collectively named "City Attorney cluster" is a government entity engaged in the practice of law and represents various municipal agencies in San Diego, California confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

16. Individual co-defendant and/or defendants' agent San Diego Police Department, San Diego, California collectively named " San Diego Police cluster " is a government agency engaged in law enforcement within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

17. Individual co-defendant and/or defendants' agent San Diego County Sheriffs' Office collectively named "Sheriff cluster" located in the John F. Duffy Administration Center, P.O. Box 939062, San Diego, California, 1730 Front St, San Diego, California, San Diego Central Jail, San Diego, California, Facility 8, George F. Bailey Detention Facility, San Diego, California to name a few is a law enforcement agency within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

18. Individual co-defendant and/or defendants' agent San Diego Unified Port District, 3165 Pacific Highway, San Diego, California 92101 and San Diego Harbor Police, 3380 N. Harbor Drive, San Diego, California 92101 collectively named "Port Police cluster" are harbor management and law enforcement government agencies respectively confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

19. Individual co-defendant and/or defendants' agent California State Police Department (California Highway Patrol) collectively named "Highway Patrol cluster" located on 4902 Pacific Highway, San Diego, California and 9330 Farnham St., California is a law enforcement agency within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

20. Individual co-defendant and/or defendants' agent San Diego Health and Human Services Agency (HHSA) Behavioral Health Services, Forensic Psychiatry Unit collectively named "Forensic Services cluster" located on 220 W. Broadway, Room 1003, San Diego, California is a government agency engaged in the performance of health and human services functions including psychiatric services in San Diego County, California within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

21. Individual co-defendants and/or defendants' agents Heritage Security Services, Transit System Security and Fort Heritage Courier Service collectively named "Heritage Transit cluster" located on 1260 Morena Blvd, Suite 200, San Diego, California 92110 are companies engaged in the provision of courier services, armed and unarmed security services and investigative services to the public and to business confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

22. Individual co-defendants and/or defendants' agents Environnement, Veolia Transportation Services, Inc, Veolia Transport, Veolia Water North America, Veolia Verkehr, Connex, San Diego Metropolitan Transit System (SDMTS), SANDAG, San Diego Trolley, Inc (SDTI), San Diego Transit Corporation (SDTC), San Diego and Arizona Eastern (SD and AE) Railway Company, San Diego Vintage Trolley, Inc and North County Transit District (NCTD) collectively named "Veolia Cluster" are a group of companies engaged in the management, operation and supervision to name a few of public transportation and solid waste within the meaning FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

23. Individual co-defendants and/or defendants' agents J.W Love, Jason, Ms Green, Julie Bachler, Liz Wagner, Umang Gupta, Harold E. Miller, Gregory Johnson, Penelop S. Alexander, Charles B. Johnson, Gregory E. Johnson, Craig S. Tyle, Louis E. Woodworth, Samuel Armacort, Larry A. Stenkorpff, Martin Flanagan,

and Donna Ikeda collectively named "Franklin Templeton cluster personnel" of 47 West 200 South, Ste 500, Salt Lake City, Utah, 500 E. Broward Boulevard, Suite 2100, Fort Lauderdale, Florida 33394-3007, 1 Franklin Parkway, Building 970, San Mateo, California 94403, 600 Fifth Ave, New York, New York 10020-2302, U.S.A., and 3344 Quality Drive, Rancho Cordova, California 95670-7313, U.S.A as is applicable are management personnel and/or employees of Franklin Resources, Inc and subsidiaries or divisions aforerecited within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

24. Individual co-defendants and/or defendants' agents Charles Bouyer, L. Harlin, John Doe Hispanic Male Deputy, Dan Houston and Darren P. White, collectively named "Bernalillo Sheriff cluster personnel" are Sheriff, Sheriff Deputies and/or employees of Bernalillo County Sheriff's Department, Albuquerque, New Mexico within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

25. Individual co-defendants and/or defendants' agents Anthony Bellhiem and Hector Lucero collectively named "American Recovery cluster personnel" are management personnel and/or employees of American Recovery, Inc., 7717 Broadway Boulevard S.E., Albuquerque, New Mexico, U.S.A within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

26. Individual co-defendants and/or defendants' agents Gerald Madrid collectively named "Madrid Towing cluster Personnel is a management personnel with Madrid Towing,

Albuquerque, New Mexico aforesaid sounding in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

27. Individual co-defendants and/or defendants agents John Houston, W. Samuel Hamrick, Jr. and S/J Petersen collectively named "U.S District Court cluster personnel" are engaged in the practice of or administration of the law as aforerecited pertaining to USDC Case No. 11-CV-1906-JAH(WVG) and USDC Case No. 3-11-CV-1808-JAH(BLM) and following FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

28. Individual co-defendants and/or defendants agents David J. Danielsens, Frederick Maguire, Roger C. Rice, Sandra L. Berry, Keri G. Katz, Desiree A. Bruce-Lyle, Lee C. Witham, Karen A. Riley and John N. Blair collectively named "Broadway cluster Personnel" located on 220 W. Broadway, San Diego, California and 8950 Clairemont Mesa Blvd, San Diego, California respectively and engaged in the practice of law in San Diego County, California within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

29. Individual co-defendants and/or defendants' agents Michael Hawkins, Robert J. Stall, Jr., Michael Begovich, Milly Durovic and Veneta Jacobs collectively named "Assigned Counsel cluster personnel" are attorney's and/or employees of the Office of Assigned Counsel San Diego County, California engaged in the practice of law within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

30. Individual co-defendants and/or defendants' agents Solomon Chang, Brian Schmidt, L. Stern, L. Garcia, Susan McInerney, Katherine Braner, MaryJo Barr and Henry C. Coker collectively named "Public Defender cluster personnel", are attorney's of the Office of Public Defender San Diego County, California engaged in the practice of law within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

31. Individual co-defendants and/or defendants' agents Onu Omordia, Heily Hernandez, Michael Aguirre, Jan Goldsmith, L. Vogltanz, MaryJo Lanzafare, Andrew Jones, David Greenberg, Tricia Pummil, Tessa Heunis, Andres Carnahan, Kristi Hein, Makini Hammond, L. Easton, D. Rurlines, M. Robertson, S. Park and A. Wilburn collectively named "City Attorney cluster personnel" are engaged in the practice of law and are attorneys and/or employees of the Office of The City Attorney, City of San Diego, California aforerecited within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

32. Individual co-defendants and/or defendants' agents Hime Alvarado, R.T. Henrizi, P. Rorrison, Kevin C. Rausis, U. Harvey, K. Kinney, Patrick Sullivan, K.P. Lewak, Ed, William Lansdowne, Paul Cooper, Sarah Sutter, Joel Voss, Schenkleberg (Mr), Zach Bradley, Kister (Mr), Michael Cash, Chris Ball, Guy Swanger, James Collins, Boyd Long, Cesar Solis, Tony McElroy, Sarah Creighton and David Rohowitz collectively named "San Diego Police cluster personnel" are law enforcement personnel with the

San Diego Police Department, San Diego, California proscribed within FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

33. Individual co-defendants and/or defendants agents R. Setter (Mr), Johnson (Mr), B. Richardson, Powell (Mr), Jackson (Mr), Handson (Mr), Smith (Mr), Hathaway (Mr), Acevado (Mr), Salazar (Mr), M.J. Saunders, William Gore and Thomas J. Cooke collectively named "Sheriff cluster personnel" are law enforcement officers with the San Diego Sheriff's Office, San Diego, California within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

34. Individual co-defendants and/or defendants agents R. Padilla, Taylor (Mr), Sabbagh (Mr), S. Afhook, John A. Bolduc, Brian Jensen and Kimberly A. Fives collectively named "Sheriff cluster personnel" are law enforcement officers of the San Diego Harbor Police, San Diego, California within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

35. Individual co-defendant and/or defendants' agent M. Johnson collectively named "California Highway cluster personnel" is a law enforcement officer of the California State Police Department (California Highway Patrol), San Diego, California within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

36. Individual co-defendants and/or defendants agents Matthew F. Carroll and Jeremy Flagel collectively named "Forensic Services cluster personnel" are staff psychiatrist within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401,

2402, 2422, 2671 et seq.

37. Individual co-defendants and/or defendants agents Lawrence Richman, Mascheimer (Mr), Max Navarro, Zachary Collins, Rachel Tyner, Queen (Mr), L. Amariz, A. Diaz, G. Burton, E. Alilin, L. Martinez, L. Fewell, D. Belvis, K. Lyle, M. Viccariello, D. Hamada, R.P. Pomeroy, E. Aguilar, C. Hernandez, R. Rogers, T. Hugbee, M. Rico, J. Renteria, R. Graham, J. Diega, T.R. Joseph, F. Mireles, C. Torres, K. Garcia, P. Alamillo, D. Reaves, R. Fuentavilla, R. Favelo, J. Lapan, P. Cothias, R. Orozco, V. Garcia, M. Regusters, F. Contreras, Lehnher (Mr), K. Spight, J. Martinez, A. Moya, C. Miner, C. Yeager, L. Collier, Pitt (Mr), M. Kosak, C. Sandez, P. Romero, A. Spiedel, T. Thomas, J. Jameson, J. King, T. Okalski, S. Rodriguez, E. McKeever, H. Castro, J. Nutting, A. Izzarelli, H. Alatorre, M. Farias, J. Romero, E. Trujillo, L. Gonzales, A. Williams, H. Estrada, Chan (Mr), Hinojos (Mr), R. Favelo, E. Bibby, S. Corriveau, H. Navarrette, D. Napoleon, G. Edwards, M. Vargas, R. Oakley, M. Carter, T. Wade, E. Randes, Y. Adiboye, J. Marrs, L. Roberts and J. Parker collectively named "Heritage Transit cluster personnel" are security officers and/or code compliance officers with Heritage Security Services, San Diego Trolley, Inc and Transit System Security, San Diego, California within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

38. Individual co-defendants and/or defendants agents Carolyn Suess, Phil Stiegliz, Jose Garcia, John Fitch, John Nesbitt, Ricardo, Rose Sorillon, JOHN DOE WHITE MALE DRIVER SDMTS 44 BUS ROUTE 325 ABOUT 9:06PM PST ON DECEMBER 14, 2009 FROM LINDA



VISTA ROAD TO OLD TOWN TRANSIT STATION SAN DIEGO CALIFORNIA, JOHN DOE HISPANIC MALE DRIVER SDMTS 992 BUS ROUTE 2775 ABOUT 8:55AM PST ON MARCH 17, 2011 INCIDENT ON BROADWAY AND SETTLER ACROSS FROM AMERICA PLAZA DOWNTON SAN DIEGO CALIFORNIA, JOHN DOE WHITE MALE DRIVER SDMTS 120 BUS ROUTE 343 ABOUT 4:42PM PST ON MARCH 15, 2011 INCIDENT ON GENESEE AVE AND HEALTHCARE DRIVE SAN DIEGO CALIFORNIA, JANE DOE BLACK FEMALE DRIVER SDMTS 105 BUS ROUTE 302 ABOUT 10:08AM PST ON JULY 26, 2009 INCIDENT ON MILTON ST AND MORENA BLVD SAN DIEGO CALIFORNIA, JANE DOE WHITE FEMALE DRIVER SDMTS 120 BUS ROUTE 1604 ABOUT 10:50AM PST ON AUGUST 21, 2011 INCIDENT AT FASHION VALLEY TRANSIT STATION, SAN DIEGO CALIFORNIA, Paul Pablonski, C. Michael Cowett, Tiffany Lorenzen, Jeff Stumbo, Sharon Cooney, Henri Pruglio, Alan Moldawer, Larry Steffes, Mark L. Joseph, Janet Davis, Christopher Bryan, Donald Saunders, Tom Downs, Valerie Michael and Jan Horstmann collectively named "Veolia cluster personnel" are executives, managers, staff and/or employees of Veolia Environnement, Veolia transportation services, Inc., and/or San Diego Metropolitan Transit System aforerecited within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

39. Individual co-defendant and/or defendants' agent Marcus Wang collectively named "Marcus Wang cluster" is a physician engaged in the practice of medicine within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

40. Upon information and belief defendant, individual co-defendants and/or defendants agents aforerecited were at all times relevant hereto and as is applicable either responsible or

accountable for or had a duty or moral obligation to oversee the day-to-day operation of the applicable companies, businesses, agencies or law offices hereinabove following FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

41. Plaintiff sues all, defendant, co-defendants and/or defendants' agents in their individual capacities.

#### PROCEDURAL REQUIREMENTS

42. About January 2006, plaintiff was abruptly wrongfully arrested based on a maliciously issued bench warrant and plaintiffs' automobile which he was driving at the time and which contained boxes and other luggages containing legal documents including but not limited to immigration documents, investigatory diaries, notes, papers, business, financial records and objects or articles of evidence was wrongfully searched, towed and impounded by co-defendants and/or defendants agents deputies Charles Bouyer, L. Harlin, John Doe Hispanic Male deputy aforesaid of the Bernalillo County Sheriff's Office, Albuquerque, New Mexico and Madrid Towing, Albuquerque, New Mexico.

43. About January 2006 upon release from detentive custody part of the aforerecited plaintiffs' property was returned to plaintiff by individual co-defendants and/or defendants' agents "American Recovery cluster personnel" aforesaid and the remainder of plaintiffs' property of legal documents and objects or articles of evidence was converted by individual co-defendants and/or defendants' agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid

cluster" and "Madrid cluster personnel" despite plaintiffs' repeated written and verbal requests that they be returned to him timely and in their original condition.

44. From about January 2006 to present plaintiff timely and properly, verbally and in writing requested of co-defendants and/or defendants' agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" aforerecited the identity of plaintiffs' property aforementioned in their possession and the fact they are urgently needed by plaintiff for current, on-going investigations and litigation but said requests were continually ignored by individual co-defendants and/or defendants' agents aforesaid.

45. Individual co-defendants and/or defendants agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" failed to exhaust their remedies.

46. Plaintiff is not required to exhaust any administrative remedies prior to filing this action.

#### STATEMENT OF FACTS

47. Plaintiff is and was at all times relevant hereto a resident of Albuquerque, Bernalillo County, New Mexico, U.S.A.

48. About January 2006, plaintiff was wrongfully arrested based on a maliciously issued bench warrant and plaintiffs' automobile which he was driving at the time and which contained

boxes and other luggages containing legal documents and evidence including but not limited to investigatory diaries, notes, papers, business, financial records and objects or articles of evidence was wrongfully searched, towed and impounded by co-defendants and/or defendants agents deputies Charles Bouyer, L. Harlin, John Doe Hispanic Male deputy aforesaid of the Bernalillo County Sheriff's Office, Albuquerque, New Mexico and Madrid Towing, Albuquerque, New Mexico.

49. About January 2006 upon release from detentive custody part of the aforerecited plaintiffs' property was returned to plaintiff by individual co-defendants and/or defendants' agents "American Recovery cluster personnel" aforesaid and the remainder of plaintiffs' property of legal documents and objects or articles of evidence was converted by individual co-defendants and/or defendants' agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" despite plaintiffs' repeated written and verbal requests that they be returned to him timely and in their original condition.

50. From about January 2006 to present plaintiff has severally verbally and in writing requested of co-defendants and/or defendants' agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" aforerecited the contents and identity of plaintiffs' property aforementioned in

their possession and the fact they are urgently needed by plaintiff for current, on-going investigations and litigation but said requests were continually ignored by individual co-defendants and/or defendants' agents aforesaid.

51. Individual co-defendants and/or defendants' agents "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" did not have any probable cause for denying plaintiff possession of his aforementioned property of legal documents and evidence including but not limited to investigatory diaries, notes, papers, business and financial records and objects or articles of evidence contained in his aforerecited vehicle.

52. At no time during the relevant period did plaintiff authorize or condone said conversion of his legal documents, evidence and objects of evidence by individual co-defendants and/or defendants agents, "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" or any of their subsidiaries, agents, employees or representatives.

53. Individual co-defendants and/or defendants agents, "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" or any of their subsidiaries, agents,

employees or representatives aforementioned failed to exhaust their remedies and lacked probable cause for denying plaintiff possession of his aforerecited property of legal documents and objects or articles of evidence.

54. As a direct and proximate causation individual co-defendants and/or defendants' agents, "Franklin Templeton cluster", "Franklin Templeton cluster personnel", "American Recovery cluster", "American Recovery cluster personnel", "Madrid cluster" and "Madrid cluster personnel" aforerecited collectively named "First cluster set" acts in tort as in aforesaid denial of possession of property continues to adversely affect plaintiff by hindering, obstructing and sabotaging plaintiffs' efforts to timely and properly investigate and/or litigate his severally applicable cases.

55. As in tort and similarly lacking probable cause individual co-defendants and/or defendants' agents "U.S District Court cluster", "U.S. District Court cluster personnel", "State of California cluster", "San Diego County cluster", "Broadway cluster", "City Attorney cluster", "City Attorney cluster personnel", "San Diego Police cluster", "San Diego Police cluster personnel", "Public Defender cluster", "Public Defender cluster personnel", "Assigned counsel cluster", "Assigned counsel cluster personnel", "Sheriff cluster", "Sheriff cluster personnel", "Port Police cluster", "Port Police cluster personnel", "Highway Patrol cluster", "Highway Patrol cluster personnel", "Forensic Services cluster", "Forensic Services cluster personnel", "Heritage Transit

cluster", "Heritage Transit cluster personnel", "Veolia cluster", "Veolia cluster personnel" and "Marcus Wang cluster" collectively named "Second cluster set" injured plaintiff severally including but not limited to malicious falsehood, loss of enjoyment of life, loss of income, loss of consortium, libel, defamation, slander, damage to property, loss of credit privileges, denial of proper medical care to name a few.

CLAIM (COUNT) 1 NEGLIGENCE

56. Plaintiff incorporates herein by reference all the foregoing paragraphs 1 through 55 as though the same were fully set forth herein.

57. Defendant, United States of America as party and as is liable for its acts and the acts of its individual co-defendants and/or agents aforerecited following FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

58. Individual co-defendants and/or defendants' agents "First cluster set" and "Second cluster set" malicious acts, lacking probable cause, as in tort negligence denied plaintiff timely possession his property of legal documents and evidence including but not limited to investigatory diaries, notes, papers, business and financial records and objects or articles of their custody which he urgently needed and continues to need for current, ongoing investigations and litigation within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

59. Individual co-defendants and/or defendants' agents "First cluster set" and "Second cluster set" malicious acts, lacking probable cause, as in tort negligence were negligent of their duty and/or moral obligation to protect plaintiffs' rights under the law within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

60. Individual co-defendants and/or defendants' agents "First cluster set" and "Second cluster set" hereinabove had ample opportunity to interceded on behalf of the plaintiff but refused to do so thus intentionally subjecting plaintiff to unlawful and wrongful acts as in tort negligence herein recited and within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

61. As a cause-in-effect of the tort negligence by individual co-defendants and/or defendants' agents "First cluster set" and "Second cluster set" aforerecited plaintiff was deprived as in tort of his right to timely possession and use of his property of legal documents and objects or articles of evidence as aforescribed and to proper medical treatment respectively and as is applicable and within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

62. As a direct and proximate causation of the tort negligence by individual co-defendants and/or defendants agents aforerecited plaintiff was deprived of a speedy litigation of his cases, of gainful employment, of good credit privileges, of enjoyment of life to name a few confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.



63. Individual co-defendants and/or defendants' agents aforerecited did not have probable cause for said negligent tortuous acts.

64. Resultant of the aforerecited acts in tort by "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents as is applicable plaintiff was damaged in the amount to be established at trial for which he is entitled to just and fair compensation.

WHEREFORE, plaintiff respectfully requests that the court find in favor of plaintiff and against individual co-defendants and/or defendants' agents as follows.

i. Order individual co-defendants and/or defendants' agents to make plaintiff whole by providing appropriate back pay with pre-judgment interest, front pay with post-judgment interest and other affirmative relief necessary to eradicate the effects of aforerecited tort negligence.

ii. Order individual co-defendants and/or defendants' agents to make plaintiff whole by providing compensation for past and future pecuniary losses resulting from said acts in tort.

iii. Order defendant, individual co-defendants and/or defendants' agents aforesaid to make plaintiff whole by providing past and future non-pecuniary losses resulting from such acts in tort including but not limited to intentional infliction of emotional distress, mental anguish, pain and suffering, humiliation, loss of reasonable time, loss of enjoyment of life, loss of consortium to name a few in the amounts to be determined at trial.

iv. Order individual co-defendants and/or defendants' agents to make plaintiff whole by granting plaintiff possession of all his said property of legal documents and objects or articles of evidence in their conversion.

v. Award plaintiff reasonable legal fees, investigatory fees, attorney's fees and costs of this action as is or are applicable.

vi. Such other and further relief as the court deems just and proper in the premise.

CLAIM(COUNT) II CONSPIRACY

65. As for his second cause of action or claim against individual co-defendants and/or defendants' agents plaintiff incorporates herein by reference all the foregoing paragraphs 1 through 64 as though the same were fully set forth herein.

66. Defendant, United States of America as party and as is liable for its acts and the acts of its individual co-defendants and/or agents aforerecited following FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

67. As in tort conspiracy "First cluster set" individual co-defendants and/or defendants agents as are applicable conspired together and reached a mutual understanding and acting in concert undertook a course of conduct tortuous to plaintiff as hereinabove confounded in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

68. Sounding in tort conspiracy, "Second cluster set" individual co-defendants and/or defendants agents as are

applicable conspired together and reached a mutual understanding and acting in concert undertook a course of conduct tortuous to plaintiff as hereinabove within the meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

69. "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents as are applicable agreed to target plaintiff failing to investigate thoroughly and without prejudice the evidence or lack thereof against plaintiff and agreeing to intentionally and maliciously act in tort as hereinabove.

70. "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents as are applicable lacking probable cause agreed to intentionally fabricate evidence, overlook exculpatory evidence and cause plaintiff to be harassed, intimidated, embarrassed, denied access to his property of legal documents and objects of evidence, loose gainful employment and income, loose credit privileges, speedy litigation and investigations to name a few within meaning of FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

71. Individual co-defendants and/or defendants' agents aforerecited did not have probable cause for said tort conspiracy.

72. As a direct and proximate causation of the foregoing tort conspiracy by "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents as is/are applicable, plaintiff was damaged in the amount to be established at trial for which he is entitled to just and fair

compensation.

CLAIM (COUNT) III INTENTIONAL INFLICTION OF  
EMOTIONAL DISTRESS

73. As for his third cause of action or claim against individual co-defendants and/or defendants' agents plaintiff incorporates by reference all the foregoing paragraphs 1 through 72 as though the same were fully set forth herein.

74. Defendant, United States of America as party and as is liable for its acts and the acts of its individual co-defendants and/or agents aforerecited and sounding in FTCA 28 U.S.C Sections 1346, 1402, 2401, 2402, 2422, 2671 et seq.

75. Defendant, "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents actionable acts in tort aforementioned and lacking probable cause was so extreme and outrageous as to go beyond decency and to be regarded as irresponsible, abusive, reckless, blatant, atrocious, intolerable, capricious, dehumanizing, intolerable, emotionally distressing and mentally anguishing to say the least.

76. The extreme and outrageous acts by Defendant, "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents sounding in tort as aforerecited include but not limited to.

i. Deliberate and consistent refusal to completely and timely allow plaintiff possession of or access to his property of legal documents and objects of evidence in their possession despite plaintiffs' repeated timely, proper, verbal and written requests

that they do so.

ii. Deliberate, intentional and consistent attempts by "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents, which lacked probable cause, to sabotage plaintiffs' efforts to gain possession of his property of legal documents and objects or articles of evidence aforesaid.

iii. Deliberate and consistent attempts by "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents to sabotage plaintiffs' efforts for a speedy trial of his litigation and to effect his applicable several investigations and responsibilities.

iv. Deliberate, intentional and consistent acts in tort by "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents as hereinabove that caused plaintiffs' loss of credit privileges, loss of reasonable time, loss of enjoyment of life, loss of income as in malicious falsehood and loss of consortium to name a few.

77. Resultant of Defendants', "First cluster set" and "Second cluster set" individual co-defendants and/or defendants' agents actionable acts in tort aforerecited plaintiff suffered and continues to suffer emotional distress, mental anguish, pain and suffering.

WHEREFORE, plaintiff prays that the court.

i. Award him damages including pre-judgment interest to compensate him fully for all injuries caused him by defendant, individual co-defendants and/or defendants' agents acts in tort

aforerecited including but not limited to back pay, front pay, pain and suffering, intentional infliction of emotional distress and mental anguish in an amount to be determined at trial.

ii. Award plaintiff legal fees, attorneys' fees, investigatory fees and costs of this action as is/are applicable.

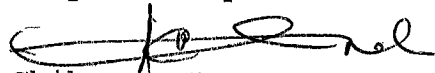
iii. Order individual co-defendants and/or defendants agents to make plaintiff whole by granting plaintiff possession of all his said property of legal documents and objects or articles of evidence in their conversion.

iv. Such other and further relief as the court deems just and proper in the premise.

78. Plaintiff hereby requests that the court grant him permission as is necessary to amend his complaint in said cause following discovery as applicable and relevant information including but not limited to name(s) of potential co-defendants and/or defendants' agents become available as said information are currently converted by individual co-defendants and/or defendants' agents, other self storage companies, businesses, individuals, law firms to name a few including but not limited to San Diego Harbor Police, San Diego, California, San Diego Police Department Property Room, San Diego, California, San Diego Sheriff's Office, San Diego, California, Office of Public Defender San Diego County, San Diego, California, C and D Towing Specialists, Inc/McBride, San Diego and La Mesa, California, Toyota Motor Corporation, Toyota Financial Services Corporation, Inc, Torrance, California, Toyota Motor Credit Corporation,

Toyota Motor Sales, U.S.A, Toyota Motor Engineering and Manufacturing North America, Inc., Larry Miller Group of Companies, Salt Lake City, Utah, Larry Miller American Toyota, Albuquerque, New Mexico, Adesa, Inc., Carmel, Indiana, Adesa LA Auctioneers, Mira Loma, California, San Diego Police Department Parking Administration and Enforcement, San Diego, California, Office of City Treasurer City of San Diego, California, Franklin Resources, Inc., Lake Forest, California, Franklin Capital Corporation, Salt Lake City, Utah, Bernalillo County Sheriff's Office, Albuquerque, New Mexico, America Recovery, Inc, Albuquerque, New Mexico, Madrid Towing, Albuquerque, New Mexico, SafeLock Self Storage, South Beach, Oregon, Lincoln County District Attorneys' Office, Newport, Oregon, City of Newport Police Department, Portland Police Bureau, Portland, Oregon, FedEx Corporation, Memphis, Tennessee, The Law Offices of Gallo and Associates, Los Angeles, California and all other locations, Abramowitz, Franks and Stroud, Attorneys At Law, Albuquerque, New Mexico, Law Offices of Timothy V. Flynn O'Brien, Albuquerque, New Mexico, Law Offices of Pat R. Bryan George, III, Albuquerque, New Mexico, USDC San Diego Case No. 11-CV-1906-JAH(WVG), USDC San Diego Case No. 3-11-CV-1808-JAH (BLM), The Superior Court of California San Diego County Case No. M098172.

Respectfully submitted,



Chibueze C. Anaeme  
Plaintiff pro se  
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U.S Post Office-Midway Branch  
San Diego, CA 91238  
Email:nexnns@yahoo.com

Phone: (212) 808-0301 Temporary



CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing  
PLAINTIFFS' COMPLAINT FOR DAMAGES was mailed to Defendant and/or  
co-defendants or their counsel of record or registered agents'  
last known address by U.S First class mail  
on \_\_\_\_\_, 2012.

A handwritten signature in black ink, appearing to read 'Chibueze C. Anaeme', written over a horizontal line.

Chibueze C. Anaeme

Plaintiff in pro se